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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,996

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EXAMINER

MORRIS, JOHN J

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

12/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/599,996	Applicant(s) TAN, KOK SIANG	
	Examiner John Morris	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

In regards to claim 1, the applicant argues that Kiwiet does not teach the amended limitation. The examiner agrees. The applicant also argues that Inoue does not teach the amended limitation. The applicant argues that a viewer being present is not an environmental characteristic that is measured and compared against a threshold value. The examiner respectfully disagrees. An environment also consists of people and things that are located within that environment and if one of those people or things are added or removed, the environmental characteristic changes.

In regards to claim 9, the applicant argues that Kiwiet does not teach wherein a user adjusts the color and/or brightness of the display. The examiner respectfully disagrees. Kiwiet teaches that a display brightness/color is adjusted based on the sound the microphone picks up, It is well known that users make sound, so therefore a user may adjust the color/brightness (Kiwiet, column 3, lines 6-48).

In regards to claims 10 and 12, the applicant argues that a third mode is not taught by Kiwiet. The examiner agrees, however the argument is moot upon new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiwiet et al. (US Pat# 5854618/ *or* “Kiwiet” *hereinafter*) in view of Inoue et al. (JP 2002218343 *A/ or* “Inoue” *hereinafter*).

For **claim 1**, Kiwiet teaches a display (Kiwiet, figure 1, item 14 and 18); processing means for receiving one or more image signals and presenting the images on the display (Kiwiet, figure 1, 10; column 3, lines 1-5); and controlling means (Kiwiet, figure 1, item 13) for selectively switching operation of the display product between at least a first display product mode of operation during which images are presented on the display and a second night-light mode of operation during which the display product is operable to function at reduced power to provide night-light illumination from the display (Kiwiet, column 2, lines 21-33 and 58-67). Kiwiet does not specifically state that the power saving mode (stand-by mode) is not used to provide night-light illumination from the display. However, Kiwiet does teach that in the stand-by mode, images are displayed on the display (abstract), which means that some light inherently will be inherently emitted from the images on the display.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the illumination during the stand-by mode as a night light, so as to increase the versatilities of the device.

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Kiwiet does not teach controlling means incorporates one or more sensors; however, in the same field of endeavor Inoue teaches the controlling means incorporates one or more sensors for sensing environmental conditions in proximity to the display product for measuring environmental characteristics, and selectively switching the display product to the second mode in event of one or more of the characteristics exceeding one or more predefined levels (Inoue, abstract and title). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kiwiet with Inoue because this would save power.

For **claim 2**, Kiwiet teaches the controlling means includes switching means for disconnecting power to at least a part of the processing means when the display product is switched to the second mode of operation (Kiwiet, figure 1, column 2, lines 21-33 and 58-67).

For **claim 3**, Kiwiet teaches the switching means is arranged to disconnect power to the processing means on an intermittent basis so as to enable the processing means to perform one or more functions in an intermittent manner (Kiwiet, column 2 lines 21-33). Here Kiwiet teaches disconnection power from a part of the apparatus and gives an example stating that this would save power by disconnecting the power from a part that is substantially inactive. Therefore, it would have been obvious to one of ordinary skill in the art to reconnect power to the processor temporarily to perform one or more functions

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in an intermittent manner. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kiwiet because this would save energy.

For **claim 6**, Kiwiet does not state the display product being operable to consume substantially an order of magnitude less power in the second night-light mode relative to the first display product mode; however, it is obvious to one of ordinary skill in the art that the standby mode would reduce power.

For **claim 7**, Kiwiet teaches a selectively light-transmissive display unit display unit for selectively transmitting the radiation to present one or more images to a user of the display product (Kiwiet, abstract and figure 1). Kiwiet does not teach a backlight; however, the examiner takes official notice that it is well known in the art for a display to have a backlight (i.e. Liquid Crystal Display). It would have been obvious to one of ordinary skill in the art to modify Kiwiet because a backlight would increase the brightness of the display.

For **claim 8**, Kiwiet does not teach controlling means incorporates one or more sensors; however, in the same field of endeavor Inoue teaches the controlling means incorporates one or more sensors for sensing environmental conditions in proximity to the display product for measuring environmental characteristics, and selectively switching the display product to the second mode in event of one or more of the characteristics exceeding one or more predefined levels (Inoue, abstract and title). The

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motion sensor that Inoue teaches could act as an intruder alarm by switching the tv on when the intruder walks past the TV. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kiwiet with Inoue because this would save power.

For **claim 9**, Kiwiet teaches the controlling means is arranged so that color and/or brightness of radiation emitted from the display when the display product is operated in the second mode (MD2) is user adjustable (Kiwiet Column 3, lines 6-48).

For **claim 11**, Kiwiet teaches a display (Kiwiet, figure 1, item 14 and 18); processing means for receiving one or more image signals and presenting the images on the display (Kiwiet, figure 1, 10; column 3, lines 1-5); and controlling means (Kiwiet, figure 1, item 13) for selectively switching operation of the display product between at least a first display product mode of operation during which images are presented on the display and a second night-light mode of operation during which the display product is operable to function at reduced power to provide night-light illumination from the display (Kiwiet, column 2, lines 21-33 and 58-67). Kiwiet does not specifically state that the power saving mode (stand-by mode) is not used to provide night-light illumination from the display. However, Kiwiet does teach that in the stand-by mode, images are displayed on the display (abstract), which means that some light inherently will be inherently emitted from the images on the display.

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the illumination during the stand-by mode as a night light, so as to increase the versatilities of the device.

Kiwiet does not teach controlling means incorporates one or more sensors; however, in the same field of endeavor Inoue teaches the controlling means incorporates one or more sensors for sensing environmental conditions in proximity to the display product for measuring environmental characteristics, and selectively switching the display product to the second mode in event of one or more of the characteristics exceeding one or more predefined levels (Inoue, abstract and title). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kiwiet with Inoue because this would save power.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kiwiet et al. (US Pat# 5854618/ or "*Kiwiet*" *hereinafter*) in view of Inoue et al. (JP 2002218343 A/ or "*Inoue*" *hereinafter*) and Millman et al. (US Pub# 20020075251 a1/ or "*Millman*" *hereinafter*).

For **claim 4**, Kiwiet does not teach changing the clock frequency; however, in the same field of endeavor, Millman teaches the switching means is operable to reduce clocking rates applied to at least one of the processing means and the controlling means when in the second mode to reduce power consumption within the display product (Millman, abstract). It would have been obvious to one of ordinary skill in the art at the

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time of the invention to modify Kiwiet with Millman because this would reduce power consumption.

Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiwiet et al. (US Pat# 5854618/ *or* “Kiwiet” *hereinafter*) in view of Inoue et al. (JP 2002218343 A/ *or* “Inoue” *hereinafter*).

For **claim 10**, Kiwiet teaches a display (Kiwiet, figure 1, item 14 and 18); processing means for receiving one or more image signals and presenting the images on the display (Kiwiet, figure 1, 10; column 3, lines 1-5); and controlling means (Kiwiet, figure 1, item 13) for selectively switching operation of the display product between at least a first display product mode of operation during which images are presented on the display and a second night-light mode of operation during which the display product is operable to function at reduced power to provide night-light illumination from the display (Kiwiet, column 2, lines 21-33 and 58-67). Here Kiwiet does not specifically teach a night-light illumination; however, it is obvious that the stand-by mode would provide the night-light illumination.

Kiwiet and Inoue do not teach a third mode; however, in the same field of endeavor Nishikawa teaches providing switching to a third mode of operation wherein power consumption is less than that of the second night-light mode of operation (Nishikawa, figure 3). It would have been obvious to one of ordinary skill in the art at

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the time of the invention to modify Kiwiet and Inoue with Nishikawa because the addition would save more power.

For **claim 12**, Inoue teaches a motion sensor and switching modes of the display based on the detection from the sensor (Inoue, abstract).

Kiwiet and Inoue do not teach a third mode; however, in the same field of endeavor Nishikawa teaches providing switching to a third mode of operation wherein power consumption is less than that of the second night-light mode of operation (Nishikawa, figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kiwiet and Inoue with Nishikawa because the addition would save more power.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Morris whose telephone number is (571)270-7171. The examiner can normally be reached on Monday-Friday, 7am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amr Awad/
Supervisory Patent Examiner, Art Unit 2629